FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3842 OF 2006
IN
FIRST APPEAL NO.1805 OF 2005

Office Notes, office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.Sidhartha Karpe with Mr.A.Y.Sakhare, i/b. M/s.YKS Legal for the Applicants.

Mr.Rahul D. Motkari i/b. V.Z.Kankaria, for the Respondents.

CORAM : SMT.RANJANA DESAI AND SMT.V.K.TAHILRAMANI,JJ.

DATED : SEPTEMBER 01, 2006.

P.C.:-

. Heard learned counsel for the parties.

2. By this Civil Application, the applicants have prayed that the respondents should not be permitted to withdraw an amount of Rs.77,16,549/- deposited by the applicants in the Court of learned

Civil Judge, Senior Division, Thane in Darkhast Application No.21 of 2006.

3. Admittedly, on 18.10.2005 this Court had directed the applicants to deposit the aforementioned amount and granted liberty to the respondents to withdraw the same by giving personal bond.

4. Thereafter, certain clarification was sought about the said order and on 25.11.2005 again this Court reaffirmed that the respondent could withdraw the deposited amount by giving personal bond. We are informed that this order is challenged by the applicants in the Supreme Court, by way of Special Leave Petition. The said S.L.P., according to the applicants, is still pending. If the prayer of the applicants is granted it would

amount to modifying order dated 25.11.2005 passed by this Court.

5. In the aforestated facts, it is not possible for us to in any way modify the order dated 25.11.2005. Civil Application, therefore, is rejected.

[SMT.RANJANA DESAI,J.]

[SMT.V.K.TAHILRAMANI,J.]